## THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

WORLDS, INC.,	) )
Plaintiff,	) )
v.	) Civil Action No. 1:12-CV-10576 (DJC)
ACTIVISION BLIZZARD, INC., BLIZZARD ENTERTAINMENT, INC. and ACTIVISION PUBLISHING, INC.,	) ) )
Defendants.	) ) )

## JOINT MOTION TO AMEND THE SCHEDULING ORDER

Plaintiff Worlds, Inc. ("Worlds") and Defendants Activision Blizzard, Inc., Blizzard Entertainment, Inc. and Activision Publishing, Inc. (collectively "Activision") respectfully and jointly move this Court to amend the Scheduling Order (D.I. 29) to extend the following claim construction deadlines as indicated below:

<u>Event</u>	Parties' Proposed Date
Parties to simultaneously exchange and file	April 22, 2013
preliminary claim construction briefs. Each brief	
shall contain a list of terms construed, the party's	
proposed construction of each term, and evidence	
and argument supporting each construction.	
Absent leave of court, preliminary claim	
construction briefs shall be limited to 25 pages,	
double spaced, of at least 12-point Times New	
Roman font or equivalent, including footnotes	
Parties to simultaneously exchange and file reply	May 6, 2013
briefs regarding claim construction of not more	
than 15 pages. Absent leave of court, reply briefs	
shall be limited to 15 pages, double spaced, of at	
least 12-point Times New Roman font or	
equivalent, including footnotes	

<u>Event</u>	Parties' Proposed Date
The parties shall finalize the list of disputed terms for the court to construe and file a joint claim construction and prehearing statement (hereinafter "joint claim construction statement") that identifies both agreed and disputed terms.  (a) The joint claim construction statement shall note the anticipated length of time necessary for the claim construction hearing and whether any party proposes to call witnesses, including a statement that such extrinsic evidence does not conflict with intrinsic evidence.	May 17, 2013
(b) The joint claim construction statement shall also indicate whether the parties will present tutorials on the relevant technology, the form of such tutorials, and the timing for such tutorials in relation to the claim construction hearing. If the parties plan to provide tutorials in the form of briefs, declarations, computer animations, slide presentations, or other media, the parties shall exchange such materials 10 days before the Markman hearing. In the alternative, the parties may present tutorials through presentations by the attorneys or experts at the claim construction hearing.	
(c) The joint claim construction statement shall include a proposed order in which parties will present their arguments at the claim construction hearing, which may be term-by-term or party-by-party.	
(d) The joint claim construction statement shall limit the number of claim terms to be construed and shall prioritize the disputed terms in order of importance. The Court suggests that, ordinarily, no more than ten (10) terms per patent be identified as requiring construction.	
(e) The joint claim construction statement shall include a joint claim construction chart, noting each party's proposed construction of each term, and supporting evidence.	

The additional time is needed to accommodate the parties' schedules. This Motion does not seek to alter the schedule in this action in any respects other than the deadlines listed above and, in particular, does not seek to change the *Markman* Hearing date of June 27, 2013.

Dated: March 27, 2013

By: /s/ Ryan Caughey

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Respectfully submitted,

By: /s/ Kathryn N. Hong

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**CERTIFICATE OF SERVICE** 

I hereby certify that the foregoing document filed through the ECF system will be sent

electronically to the registered participants as identified on the Notice of Electronic Filing (NEF)

this 27<sup>th</sup> day of March, 2013.

By: /s/ Kathryn N. Hong

Kathryn N. Hong

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